

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4
5 STEPHANIE HASHEM,

6 Plaintiff,

7 vs.

8 ARMY AND AIR FORCE EXCHANGE,
SERVICE,

9 Defendant.
10

2:14-cv-00549-APG-VCF

ORDER

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12 Before the court is the government's renewed Motion to Stay Discovery. (#22).

13 In the order on the first Motion to Stay Discovery (#19), the court ordered that the discovery plan
14 and scheduling order must be filed 20 days after entry of Judge Gordon's disposition on the Motion to
15 Dismiss (#13), or April 1, 2015, whichever date was earlier. (#20). On December 18, 2014, the Honorable
16 Judge Andrew Gordon granted the Motion to Dismiss with respect to Plaintiff's wrongful termination and
17 denied in part as to Plaintiff's hostile work environment and disability discrimination claims (Counts Two
18 and Three). Plaintiff was allowed to file a second amended complaint. *Id.* The government filed this
19 instant motion on January 6, 2015. (#22). On January 22, 2015, Plaintiff filed her second amended
20 complaint. (#24). The government's request for an extension to February 23, 2015 to respond to Plaintiff's
21 second amended complaint was granted. (#32).
22

23 The Motion to Stay Discovery (#22) is granted for reasons stated below.
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1 To date, no opposition has been filed. Pursuant to Local Rule 7-2(d), [t]he failure of an opposing
2 party to file points and authorities in response to any motion shall constitute a consent to the granting of
3 the motion. The time to file an opposition has passed. Here, Plaintiff has consented to the granting of
4 this motion by failure to respond to the government's motion to stay.

5 In evaluating the propriety of an order staying or limiting discovery, this court considers the goal
6 of Federal Rule of Civil Procedure 1, which states that the rules must "be construed and administered to
7 secure the just, speedy, and inexpensive determination of every action." *Id.* With this Rule as its prime
8 directive, this court finds that there is sufficient grounds to order a stay of discovery.


9 The court also finds that a stay of discovery will accomplish the inexpensive and speedy
10 determination of the action, as the parties will not incur unnecessary discovery costs prior to government's
11 response to Plaintiff's second amended complaint. *See* Fed. R. Civ. P. 1.
12

13 Accordingly, and for good cause shown,

14 IT IS HEREBY ORDERED that the Motion to Stay Discovery (#22) is GRANTED.

15 IT IS FURTHER ORDERED that the Discovery Plan and Scheduling Order is due by March 26,
16 2015 or 30 days after the government answers or other appears, whichever is earlier. This stay will be
17 lifted upon the filing of the Discovery Plan and Scheduling Order.

18 DATED this 17th day of February, 2015.

19 

20 CAM FERENBACH
21 UNITED STATES MAGISTRATE JUDGE
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